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10/564,646	01/13/2006	Hitoshi Kokumai	19A 3812 PCT	1674
7590	05/01/2009	Quinn Emanuel Urquhart Oliver & Hedges, LLP Koda/Androlia 865 S.Figueroa Street, 10th Floor Los Angeles, CA 90007	EXAMINER KANAAN, SIMON P	
			ART UNIT 2432	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/564,646	KOKUMAI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	SIMON KANAAN	2432	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 13 January 2006.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-20 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 13 January 2006 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 01/13/2006.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_ .

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. The instant application having Application No. 10564646 filed on January 13, 2006 is presented for examination by the examiner.

#### **Priority**

2. As required by **M.P.E.P. 201.14(c)**, acknowledgement is made of applicant's claim for priority based on applications filed on July 15, 2003 (PCT/JP03/09002).

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### **Drawings**

3. The drawings are objected to because figures 3, 4, and 5 lack legends in the boxes indicating what each box is. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after

the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

**Information Disclosure Statement**

4. The information disclosure statement (IDS) submitted on January, 13 2006 has been acknowledged. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

**Specification**

5. The disclosure is objected to because on page 12, line 11, it states the fifth invention is different from the fifth invention. Correction is required. See MPEP § 608.01(b).

**Claim Objections**

6. Claims 4 and 3 are identical.

7. Claims 14 and 13 have identical limitation but depend on claims 4 and 3 respectively. Claims 4 and 3 are identical therefore claims 14 and 13 are identical as well.

Appropriate correction is required.

**Claim Rejections - 35 USC § 112 1<sup>st</sup>**

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claims 7-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claims recite the limitation of a recording medium being a metal, ceramic and electronic medium. The specification does not sufficiently explain what they are. Applicant is asked to give examples of such mediums.

**Claim Rejections - 35 USC § 112 2<sup>nd</sup>**

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claims 7-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims recite the limitation of a recording

medium being a metal, ceramic and electronic medium. The specification does not explain what they are. Therefore the scope of the claims is not definite.

**Claim Rejections - 35 USC § 102**

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

13. Claims **1-20** are rejected under 35 U.S.C. 102(b) as being anticipated by  
**Taguchi et al. (US patent # 7,065,786 B2)**

**As per claim 1, Taguchi discloses** An individual authentication method using a recording medium comprising: a. the registration information forming step of registering both user information including at least one information unit known by a user to be registered in authentication and non-user information including at least one information unit unknown by the user in the recording medium in advance to form registration information; - Taguchi, column 1, lines 30 through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered

b. the registration information issuing step of issuing at least one of the registration information and access information to access a registered medium to the user; - Taguchi, column 1, lines 30 through 42, password which is dependent on user is

registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered password is stored on a recording medium, to compare the values the device will have access to the recording medium

c. the registration information presenting step of causing a user candidate to present registration information directly or indirectly recorded on the recording medium by using a recording medium owned by the user candidate in user authentication; - Taguchi, column 1, lines 32 through 42, authentication is done using password which contains information user knows such as birthday and name of acquaintance and column 9, lines 30 through 47, information user does not know such as the time requirements

d. the user information selecting step of causing the user candidate to select the user information in the presented registration information; - Taguchi , figure 2, user selects categories and answers authentication questions

and e. the user authentication step of authenticating the user candidate as the user only when the user candidate selects the user information in the registration information. - Taguchi , figure 8, password created by user selection is compared to registered information

**As per claim 2, Taguchi discloses** An individual authentication method using a recording medium comprising:

a. the registration information forming step of registering both user information including at least one information unit known by a user to be registered in authentication

and non-user information including at least one information unit unknown by the user for user authentication in the recording medium built in an electronic device in advance to form registration information; - Taguchi, column 1, lines 30 through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered password is stored on a recording medium

b. the registration information issuing step of issuing access information to access the recording medium on which the registered information to the user; -Taguchi, column 1, lines 30 through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered password is stored on a recording medium, to compare the values the device will have access to the recording medium

c. the registration information presenting step of causing a user candidate to access the recording medium of the electronic device by the access information owned by the user candidate to present registration information recorded on the recording medium; - Taguchi , figure 2, user selects categories and answers authentication questions, the categories and information displayed are from the recording device

d. the user information selecting step of causing the user candidate to select the user information presented by the recording medium of the electronic device on an authentication management side; - Taguchi , figure 2, user selects categories and answers authentication questions, the categories and information displayed are from the recording device

and e. the user authentication step of authenticating the user candidate as the user only when the user candidate selects the user information in the registration information. - Taguchi, figure 8, password created by user selection is compared to registered information

**As per claims 3 and 4, Taguchi discloses** The individual authentication method using a recording medium according to claim 1 or 2, wherein the user information is selected from any one of a long-term memory and an episode memory of the user. -In the applicant specification page 18, episode memory is a type of long-term memory therefore if a password contains episode memory it contains long-term memory, Taguchi, column 4, lines 33 through 39, the password contain elements of birthday, birthplace, acquaintances, alma mater year etc...

**As per claim 5, Taguchi discloses** The individual authentication method using a recording medium according to claim 1 or 2, wherein the non-user information is non-user information synthesized on the basis of the user information. - Taguchi, column 9, lines 30 through 47, information user does not know such as the time requirements, the time requirement is dependent on the user and the time it takes them to authenticate themselves so it is based on the user information

**As per claim 6, Taguchi discloses** An individual authentication system using a recording medium, the recording medium being constituted by a memory function by

using an electronic device in which a memory function is built, the memory function having functions of: registration information recording means which registers both user information including at least one information unit known by a user to be registered in authentication and non-user information including at least one information unit unknown by the user for user authentication in the recording medium in advance to record registration information; - Taguchi, column 1, lines 30 through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered password is stored on a recording medium and access information recording means which records access information given to the user, comprising an authentication computer having: access information comparison determining means which confirms, when a user candidate inputs access information, that the access information is access information given to the user candidate in user authentication; registration presenting means which outputs the registration information recorded on the registration information recording means on the basis of generation of a confirmation signal from the access information determining means; user information determining means which compares input user information selected from the presented registration information with the recorded user information for authentication; - Taguchi, column 1, lines 30 through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered password is stored on a recording medium, to compare the values the device will have access to the recording medium

and an authentication signal generating means which generates an authentication signal to the electronic device in which the recording medium is built on the basis of authentication determination of the user information determining means to permit the user to use the electronic device. - Taguchi, figure 8, password created by user selection is compared to registered information, if there is a match a match signal is outputted hence allowing access

**As per claim 7, Taguchi discloses** An individual authentication system using a recording medium, the recording medium being managed by a user as recording means such as paper, a metal, ceramics, a magnetic medium, an optical medium, and electronic medium having a recording function, the recording medium having functions of: registration information recording means which registers both user information including at least one information unit known by the user to be registered in authentication and non-user information including at least one information unit unknown by the user for user authentication in advance to record registration information; - Taguchi, column 1, lines 30 through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered password is stored on a recording medium and access information recording means which records access information given to respective recording media, comprising: an authentication computer having: access information comparison determining means which confirms, when a user candidate inputs access information, that the access information is access information given to the

user candidate in user authentication; user information determining means which compares input user information selected from registration information with the recorded user information for authentication on the basis of generation of a confirmation signal from the access information determining means; - Taguchi, column 1, lines 30 through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered password is stored on a recording medium, to compare the values the device will have access to the recording medium

and an authentication signal generating means to generate an authentication signal to the electronic device to be authenticated by the recording medium on the basis of authentication determination of the user information determining means. - Taguchi, figure 8, password created by user selection is compared to registered information, if there is a match a match signal is outputted hence allowing access

**As per claim 8, Taguchi discloses** An individual authentication system using a recording medium, the recording medium being managed by a user as recording means such as paper, a metal, ceramics, a magnetic medium, an optical medium, and electronic medium having a recording function, the recording medium having a function of access information recording means which records access information given to respective recording media, - Taguchi, column 1, lines 30 through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered password is stored on a recording medium

comprising: an authentication computer having: access information comparison determining means which confirms, when a user candidate inputs access information, that the access information is access information given from the recording medium to the user candidate in user authentication; registration information presenting means which outputs the registration information recorded by the registration information recording means on the basis of generation of a confirmation signal from the access information determining means; user information determining means which compares input user information selected from the presented registration information with the recorded user information for authentication; - Taguchi, column 1, lines 30 through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered password is stored on a recording medium, to compare the values the device will have access to the recording medium

and an authentication signal generating means to generate an authentication signal to the electronic device to be authenticated by the recording medium on the basis of authentication determination of the user information determining means. - Taguchi, figure 8, password created by user selection is compared to registered information, if there is a match a match signal is outputted hence allowing access

**As per claim 9, Taguchi discloses** The individual authentication system using a recording medium according to claim 6, 7, or 8, wherein the user information is selected from any one of a long-term memory and an episode memory of the user. - In the

applicant specification page 18, episode memory is a type of long-term memory therefore if a password contains episode memory it contains long-term memory, Taguchi, column 4, lines 33 through 39, the password contain elements of birthday, birthplace, acquaintances, alma mater year etc...

**As per claim 10, Taguchi discloses** The individual authentication system using a recording medium according to claim 6, 7 or 8, wherein at least one of the user information is an information unit for an unwilling authentication signal used when user authentication is performed despite the intention of the user. - in the applicant's specification on page 19, unwilling user authentication is authenticating the user against there will. i.e. if a user wants access to a system whether they want to authenticate or not they have to. Taguchi, column 9, lines 10 through 21, only users who are authorized and authenticated can gain access to systems

**As per claim 11, Taguchi discloses** The individual authentication system using a recording medium according to claim 6, 7 or 8, wherein the non-user information is non-user information synthesized on the basis of the user information. - Taguchi, column 1, lines 30 through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered password is stored on a recording medium, the password is a combination of categories and the answers within the categories. Synthesized by definition means

combining parts. Taguchi teaches a password which is combined of parts known to user and no known

**As per claim 12, Taguchi discloses** The individual authentication system using a recording medium according to claim 6, 7 or 8, wherein pieces of individual registration information and pieces of access information are held. -Taguchi, column 1, lines 30 through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered password is stored on a recording medium

**As per claims 13 and 14, Taguchi discloses** The individual authentication method using a recording medium according to claim 3, wherein the non-user information is non-user information synthesized on the basis of the user information. - Taguchi, column 1, lines 30 through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered password is stored on a recording medium, the password is a combination of categories and the answers within the categories. Synthesized by definition is combining parts. Taguchi teaches a password which is combined of parts known to user and no known

**As per claim 15, Taguchi discloses** The individual authentication system using a recording medium according to claim 9, wherein at least one of the user information is

an information unit for an unwilling authentication signal used when user authentication is performed despite the intention of the user. - in the applicant's specification on page 19, unwilling user authentication is authenticating the user against there will. i.e. if a user wants access to a system whether they want to authenticate or not they have to. Taguchi, column 9, lines 10 through 21, only users who are authorized and authenticated can gain access to systems

**As per claim 16, Taguchi discloses** The individual authentication system using a recording medium according to claim 9, wherein the non-user information is non-user information synthesized on the basis of the user information. - Taguchi, column 1, lines 30 through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered password is stored on a recording medium, the password is a combination of categories and the answers within the categories. Synthesized by definition means combining parts. Taguchi teaches a password which is combined of parts known to user and no known

**As per claim 17, Taguchi discloses** The individual authentication system using a recording medium according to claim 10, wherein the non-user information is non-user information synthesized on the basis of the user information. - Taguchi, column 1, lines 30 through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered

password is stored on a recording medium, the password is a combination of categories and the answers within the categories. Synthesized by definition means combining parts. Taguchi teaches a password which is combined of parts known to user and no known

**As per claim 18, Taguchi discloses** The individual authentication system using a recording medium according to claim 9, wherein pieces of individual registration information and pieces of access information are held. - Taguchi, column 1, lines 30 through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered password is stored on a recording medium

**As per claim 19, Taguchi discloses** The individual authentication system using a recording medium according to claim 10, wherein pieces of individual registration information and pieces of access information are held. - Taguchi, column 1, lines 30 through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered password is stored on a recording medium

**As per claim 20, Taguchi discloses** The individual authentication system using a recording medium according to claim 11, wherein pieces of individual registration information and pieces of access information are held. - Taguchi, column 1, lines 30

through 42, password which is dependent on user is registered, column 9, line 40 time of data entry is compared and hence stored i.e. registered, the registered password is stored on a recording medium

**Conclusion**

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Kanaan whose telephone number is (571) 270-3906. The examiner can normally be reached on Monday to Friday 8:30 AM to 5:00 PM.

If attempts to reach the above noted Examiner by telephone are unsuccessful, the Examiner's supervisor, Gilberto Barron, can be reached at the following telephone number: (571) 272-3799.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/SIMON KANAAN/  
Examiner, Art Unit 2432

/Gilberto Barron Jr./  
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